

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 214.10, 214A.2 and 215.24, the Department of Agriculture and Land Stewardship hereby amends Chapter 85, “Weights and Measures,” Iowa Administrative Code.

The amendments require that pumps for ethanol blended gasoline classified as higher than E-10 have a “for flex fuel vehicle only” sticker on the pump or pump handle and shall not have an octane rating posted. Blender pumps selling ethanol blended gasoline classified as higher than E-10 must have at least two hoses per pump.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 7370B** on November 19, 2008.

The comments received were, in general, supportive of the provisions.

The provision on requiring the designation of the volume percent of ethanol or biodiesel to be displayed was eliminated because of a change in federal regulations. The “for flex fuel vehicle only” sticker was amended to allow placement on the pump as well as the pump handle.

These amendments are intended to implement Iowa Code chapter 214A as amended by 2008 Iowa Acts, House File 2689 [chapter 1169].

These amendments will become effective April 15, 2009.

The following amendments are adopted.

ITEM 1. Adopt the following new subrule 85.48(11):

85.48(11) Ethanol blended gasoline classified as higher than E-10 shall have a visible, legible “for flex fuel vehicle only” sticker on the pump or pump handle.

ITEM 2. Rescind and reserve subrules **85.48(12)** and **85.48(13)**.

ITEM 3. Amend subrule 85.48(14) as follows:

85.48(14) Octane rating of fuel offered for sale shall be posted on the pump in a conspicuous place. However, no octane rating shall be posted on the pump for ethanol blended gasoline classified as higher than E-10.

ITEM 4. Adopt the following new rule 21—85.50(214,214A,215):

21—85.50(214,214A,215) Blender pumps. Motor fuel blender pumps or blender pumps installed or modified after November 1, 2008, which sell both ethanol blended gasoline classified as higher than E-10 and gasoline need to have at least two hoses per pump.

This rule is intended to implement Iowa Code section 214A.2.

[Filed 2/20/09, effective 4/15/09]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 3/11/09.